

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Criminal No. 18-cr-150-1 (DWF/HB)

Plaintiff,

v.

**ARRAIGNMENT ORDER**

Michael Hari (1),

Defendant.

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A hearing was held before the undersigned United States Magistrate Judge on February 14, 2019. Defendant was present in court with his attorney, Shannon Elkins, Assistant Federal Public Defender. The government was represented by Julie Allyn and John Docherty, Assistant United States Attorney.

Defendant identified himself by name and birth date; waived the reading of the indictment; and entered a plea of not guilty.

**Pursuant to Local Rule 12.1 (copy attached), IT IS HEREBY ORDERED** that:

1. The government shall make all disclosures required by Federal Rule of Criminal Procedure 16(a) by **February 21, 2019**. D. Minn. LR 12.1(a)(1). In order to avoid the need for a recess of the motions hearing, the government is requested to make, by **February 21, 2019**, all disclosures which will be required by Fed. R. Crim. P. 26.2 and 12(h).

2. Defendant shall make all disclosures required by Federal Rule of Criminal Procedure 16(b) by **February 28, 2019**. D. Minn. LR 12.1(a)(2).

3. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **March 7, 2019**.<sup>1</sup> D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Hildy Bowbeer.<sup>2</sup>

4. **Counsel shall electronically file a letter on or before March 7, 2019, if no motions will be filed and there is no need for hearing.**

5. All responses to motions shall be filed by **March 21, 2019**. D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses<sup>3</sup> shall be filed by **March 21, 2019**. D. Minn. LR 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses<sup>4</sup> shall be filed by **March 25, 2019**. D. Minn. LR 12.1(c)(3)(B).

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<sup>1</sup> “Before filing a motion under Fed. R. Crim. P. 12(b), the moving party must confer with the responding party. The parties must attempt in good faith to clarify and narrow the issues in dispute.” D. Minn. LR 12.1(b).

<sup>2</sup> U.S. Mail or hand-deliver to 316 N. Robert St., Room 632, Saint Paul, MN 55101.

<sup>3</sup> “When a party intends to call witnesses at a hearing on a motion under Fed. R. Crim. P. 12(b), the party must file a notice within 35 days after the arraignment. The notice must identify the number of witnesses whom the party intends to call, the motion or motions that each witness will be addressing, and the estimated duration of each witness’s testimony.” D. Minn. LR 12.1(c)(3)(A).

<sup>4</sup> “If after reviewing a notice under LR 12(c)(3), a party intends to call witnesses at the same hearing, that party must file a responsive notice within 38 days after the arraignment. The responsive party must identify the number of witnesses whom the party intends to call, the motion or motions each witness will be addressing, and the estimated duration of each witness’s testimony.” D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The government makes timely disclosures and Defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response.

9. If required, the motions hearing shall be heard before Magistrate Judge Hildy Bowbeer on **March 28, 2019**, at **3:00 p.m.**, in **Courtroom 6B**, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, Saint Paul, Minnesota. D. Minn. LR 12.1(d).

10. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT**, the following trial and trial-related dates are:

- i. All voir dire questions and jury instructions shall be submitted to District Judge Donovan W. Frank on or before **April 11, 2019**.
- ii. This case shall commence trial on **April 22, 2019**, at **9:00 a.m.** before District Judge Donovan W. Frank in Courtroom 7C, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED**, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Donovan W. Frank to confirm the new trial date.

Dated: February 19, 2019

*s/ Becky R. Thorson*

BECKY R. THORSON

United States Magistrate Judge